

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SEP 10 2009
DAVID J. WALAND, CLERK
BY
DEPUTY _____

UNITED STATES OF AMERICA

§
§
§
§
§
§

v.

NO. 4:09CR 161

Judge Crone

CLOVIS PRINCE

Defendant

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT ONE

Violation: 18 U.S.C. §1344 (Bank
Fraud) and §2 (Aiding and Abetting)

Beginning on or about March 21, 2006, in Grayson County, Texas, within the Eastern District of Texas and elsewhere, the defendant, **CLOVIS PRINCE**, did knowingly execute and attempt to execute a scheme and artifice to defraud federally insured financial institutions, namely American Bank of Texas, American National Bank of Texas, Jefferson Bank, First Bank and Trust Company, Regions Bank, Unity Bank, Union Bank, and Legacy Texas Bank, and to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of said financial institutions by means of materially false and fraudulent pretenses, representations and promises.

SCHEME AND ARTIFICE TO DEFRAUD

The defendant sought loans from American Bank of Texas, American National Bank of Texas, Jefferson Bank, First Bank and Trust Company, Regions Bank, Unity Bank, Union Bank, and Legacy Texas Bank, federally insured financial institutions, on behalf of himself and entities under his control. In order to encourage the financial institutions to extend credit to the defendant or to one or more entities under his control, the defendant represented that he would personally guarantee the loan and credit obligations. The defendant made materially false representations as to the value of assets personally owned by him and owned by entities under his control. The defendant's false pretenses, representations and promises created a materially false impression of the defendant's personal liquidity upon which the financial institutions relied.

All in violation of 18 U.S.C. §1344 and 2.

COUNTS TWO - FIFTEEN

Violation: 18 U.S.C. §1957 (Engaging in monetary transactions in property derived from specified unlawful activity) and §2 (Aiding and Abetting)

On or about the dates set forth below, in Grayson County, Texas within the Eastern District of Texas and elsewhere, defendant **CLOVIS PRINCE** did knowingly engage and attempt to engage in the following monetary transactions by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived

property of a value greater than \$10,000, that is the transfer of funds, such property having been derived from a specified unlawful activity, to wit, bank fraud as set forth in Count One of this Indictment:

Count	Date	Monetary Transaction
2	1/25/2008	The transfer of approximately \$126,819.00
3	1/25/2008	The transfer of approximately \$1,429,500.00
4	1/29/2008	The transfer of approximately \$73,500.00
5	2/15/2008	The transfer of approximately \$164,450.00
6	2/15/2008	The transfer of approximately \$80,000.00
7	2/15/2008	The transfer of approximately \$79,122.12
8	3/21/2008	The transfer of approximately \$373,100.00
9	3/21/2008	The transfer of approximately \$225,000.00
10	3/21/2008	The transfer of approximately \$235,000.00
11	3/21/2008	The transfer of approximately \$71,868.64
12	3/28/2008	The transfer of approximately \$258,853.65
13	3/28/2008	The transfer of approximately \$202,504.89
14	3/28/2008	The transfer of approximately \$102,641.46
15	4/11/2008	The transfer of approximately \$111,947.01

All in violation of 18 U.S.C. §§ 1957 and 2.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

(Pursuant to 18 U.S.C. §§ 981-982 and 28 U.S.C. § 2461)

As a result of the commission of the foregoing offense, the Defendant herein shall forfeit to the United States of America pursuant to 18 U.S.C. §982(a)(2)(A) any and all property constituting or derived from proceeds the defendant obtained directly or indirectly as a result of the foregoing offense. The above-referenced property subject to forfeiture includes, but is not limited to, the following:

Gross Proceeds of Bank Fraud:

The gross proceeds of the defendant's illegal acts in an amount of at least \$10,701,188.00.

Money Judgment:

A money judgment in the amount of at least \$10,701,188.00 which is approximately the amount of money constituting or derived from the proceeds obtained by the defendant as a result of the charged offense.

Vehicle: 2007 Lexus ES 350, Vehicle Identification Number JTHBJ46GX72150597

Real Estate:

- a. 4808 Rose Rock Drive, Oklahoma City, Oklahoma, and the associated acreage;
- b. 4708 Rose Rock Drive, Oklahoma City, Oklahoma, and the associated acreage; and
- c. 4305 North Bryant Avenue, Oklahoma City, Oklahoma, and the associated acreage.

By virtue of the commission of the offense alleged in this Indictment, any and all interest the Defendant has in the above-described property is vested in the United States.

Substitute Assets

Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), if any of the above-described property subject to forfeiture, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America intends to seek forfeiture of any other property of the defendant up to the value of the above-described property subject to forfeiture. By virtue of the commission of the offense(s) alleged in this Indictment, any and all interest the defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853.

A TRUE BILL,

Dm C
FOREPERSON OF THE GRAND JURY

JOHN M. BALES
UNITED STATES ATTORNEY

Randall A. Blake

RANDALL A. BLAKE
Assistant United States Attorney

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UNITED STATES OF AMERICA	§	
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Defendant	§	

NOTICE OF PENALTY

COUNT ONE

Violation: Title 18, United States Code, Section 1344, Bank Fraud.

Penalty: Imprisonment for a term of not more than 30 years, a fine not to exceed \$1,000,000; supervised release for a term of not more than 5 years.

Special Assessment: \$100.00

COUNTS TWO - FIFTEEN

Violation: Title 18, United States Code, Section 1957, Engaging in monetary transactions in property derived from specified unlawful activity..

Penalty: Imprisonment for a term of not more than 10 years, a fine not to exceed \$250,000 or not more than twice the amount of the criminally derived property involved in the transaction; supervised release for a term of not more than 3 years.

Special Assessment: \$100.00